AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in this application.

1.-6. (canceled)

7. (previously presented) A drill guide comprising:

a guide barrel for receiving a bone tool for creating a hole in bone; and

an alignment assembly associated with the guide barrel for aligning the bone tool with a selected first or second fastener hole of a bone plate, the alignment assembly comprising a location post configured to be at least partially received within a recess in the bone plate;

wherein the guide barrel is not pivotable relative to the alignment assembly; and

wherein the location post is pivotable about the bone plate recess to allow the guide barrel to be selectively aligned with the first and second fastener holes; and

wherein the alignment assembly further comprising a housing having a first axial bore configured to slidably receive at least a portion of the location post; and

wherein the location post and housing further each comprising a distal end, the location post having a retracted position in which the location post distal end is located a first distance from the distal end of the housing, and an extended position in which the location post distal end is located a second distance from the distal end of the housing, wherein the second length is greater than the first length; and

wherein the alignment assembly further comprising a spring element disposed at least partially within a second axial bore in the housing to bias the location post to the extended position.

8. (previously presented) The drill guide of claim 7, the guide barrel further comprising a bore with a bore axis, and a distal plate-engaging end, wherein the distal plate-engaging end comprises a nose portion configured to be received within the first or second fastener hole to align the bore with the bone screw hole.

9. (previously presented) The drill guide of claim 8, wherein the nose portion comprises a conical shape.

10. (previously presented) The drill guide of claim 8, the housing first axial bore and the guide barrel bore forming an acute angle therebetween.

11. (previously presented) The drill guide of claim 7, wherein when the location post is received within the bone plate recess and the location post is in the extended position, the guide barrel distal end is located a first distance from the top surface of the bone plate.

12. (previously presented) The drill guide of claim 7, wherein when the location post is received within the bone plate recess and the location post is in the retracted position, the guide barrel distal end contacts the selected bone screw hole.

13.-18. (canceled)

19. (previously presented) A surgical drill guide comprising:

a handle,

a guide barrel having a length, and a proximal end associated with the handle and a distal end configured to engage an inner surface of a fastener hole of a bone plate, the guide barrel further comprising a bore configured to receive a bone cavity forming tool; and

an alignment assembly associated with the guide barrel for aligning the bone tool with a selected first or second fastener hole, the alignment assembly comprising a housing and a location post configured to be at least partially received within a recess in the bone plate, and having a length;

wherein the guide barrel has a substantially different length than the alignment assembly;

wherein the housing and the guide barrel are monolithic; and

wherein the location post is pivotable within the recess to allow the guide barrel to be selectively aligned with the first and second fastener holes so that the tool may be extended through the guide barrel to form a cavity in a bone underlying the selected fastener hole.

20. (previously presented) The drill guide of claim 19, wherein the location post is configured to axially lock the drill guide to the bone plate.

21. (previously presented) The drill guide of claim 20, wherein the location post further comprises a plurality of resilient finger elements configured to frictionally engage the bone plate recess to thereby axially lock the drill guide to the bone plate.

22. (previously presented) The drill guide of claim 21, wherein the resilient finger elements further comprise at least one ridge configured to engage threads in the bone plate recess.

23. (previously presented) The drill guide of claim 19, wherein the housing has a first axial bore configured to slidably receive at least a portion of the location post.

24. (previously presented) The drill guide of claim 23, the location post having a retracted position in which a first length of the location post is received within the bore and an extended position in which a second length of the location post is received within the bore, wherein the first length is greater than the second length.

25. (previously presented) The drill guide of claim 24, the alignment assembly further comprising a spring element disposed at least partially within a second axial bore in the housing to bias the location post to the extended position.

26. (previously presented) The drill guide of claim 25, the guide barrel further comprising a bore with a bore axis, and a distal plate-engaging end, wherein the distal plate-engaging end comprises a nose portion configured to be received within the first or second fastener hole to align the bore with the bone screw hole.

27. (previously presented) The drill guide of claim 26, wherein the nose portion comprises a conical shape.

28. (previously presented) The drill guide of claim 26, the housing first axial bore and the guide barrel bore forming an acute angle therebetween.

29. (previously presented) The drill guide of claim 25, wherein when the location post is received within the bone plate recess and the location post is in the extended position, the guide barrel distal end is located a first distance from the top surface of the bone plate.

30. (previously presented) The drill guide of claim 25, wherein when the location post is received within the bone plate recess and the location post is in the retracted position, the guide barrel distal end contacts second bone screw hole.

31. (previously presented) The drill guide of claim 19, the drill guide further comprising a handle associated with the guide barrel, the handle configured to be selectively rotatable with respect to the guide barrel in a first plane.

32. (previously presented) The drill guide of claim 31, wherein the first plane is substantially perpendicular to the longitudinal axis of the guide barrel bore.

33. (previously presented) The drill guide of claim 31, further comprising a handle swivel assembly having a locked position in which the handle can not be rotated with respect to the guide barrel, and an unlocked position in which the handle is freely rotatable with respect to the guide barrel.

34. (previously presented) The drill guide of claim 33, wherein the swivel assembly comprises at least one non-metallic bearing.

35. (previously presented) The drill guide of claim 33, wherein the swivel assembly comprises a drain hole configured to allow fluid to drain from the assembly subsequent to sterilization of the drill guide.

36. (previously presented) The drill guide of claim 19, wherein the location post is axially fixed to the alignment assembly.

37. (previously presented) A drill guide assembly comprising:

a guide barrel having a tool receiving portion comprising a longitudinal bore having a bore axis, and an alignment assembly portion;

an alignment assembly comprising a guide barrel engaging portion, a housing and a location post having a post axis, wherein the housing and the guide barrel are monolithic,

a bone plate having at least two bone screw holes and a positioning recess, the positioning recess configured to receive at least a portion of the location post, the center of the positioning recess being separated from the center of at least one of the bone screw holes by a first distance,

wherein the bore axis is located a second distance from the location post axis, the first and second distances being substantially equal so that when the location post engages the bone plate recess, the bore is substantially coaxial with the at least one fixation hole.

38. (previously presented) The surgical drill guide assembly of claim 37, further comprising a handle member associated with a proximal end of the guide barrel.

39. (previously presented) The surgical drill guide assembly of claim 38, wherein the handle member is pivotable in relation to the guide barrel.

40. (previously presented) The surgical drill guide assembly of claim 37, wherein the guide barrel has at least one depth stop surface configured to coact with a corresponding

stop surface of a bone cavity forming tool when the tool is received within the bore to prevent the tool from passing completely through the guide barrel bore.

41. (previously presented) The surgical drill guide assembly of claim 39, the handle further having a locked position in which the handle is rotationally coupled to the guide barrel, and an unlocked position in which the handle is freely rotatable with respect to the guide barrel.

42. (previously presented) The surgical drill guide assembly of claim 41, further comprising:

a locking button having an actuation end and a locking end, the locking

end having at least one radial projection, the button further having an unactuated position and an actuated position;

the handle comprising a bore configured to slidably receive at least a portion of the button, the bore further comprising a radial recess configured to receive the radial projection; and

a handle extension having a handle engaging end and a guide barrel engaging end, the handle engaging end having at least one radial groove configured to receive the radial projection;

wherein when the handle is in the unactuated position, the radial projection engages the radial recesses of the handle bore and the handle extension to configure the handle in the locked position.

43. (previously presented) The drill guide of claim 42, wherein when the handle is in the actuated position, the radial projection engages the radial recess of only one of the handle bore and the handle extension to configure the handle in the unlocked position.

44. (previously presented) The drill guide of claim 42, the location post further comprising a plate engaging end having a plurality of resilient fingers configured to axially lock the drill guide to the bone plate when the location post is engaged with the recess.

45. (cancelled)

46. (previously presented) A drill guide assembly comprising:

a guide barrel having a tool receiving portion comprising a longitudinal bore having a bore axis, and an alignment assembly portion;

an alignment assembly comprising a guide barrel engaging portion, a housing and a location post having a post axis, wherein the housing and the guide barrel are monolithic,

a bone plate having at least two fastener receiving holes and a drill guide positioning recess, the recess configured to receive at least a portion of the location post, the center of the recess being separated from the center of at least one of the bone screw holes by a first distance,

wherein the bore axis is located a second distance from the location post axis as measured between the distal ends of the guide barrel and the location post, the first and second distances being substantially unequal so that when the location post engages the bone plate recess, the bore is not coaxial with the at least one fixation hole.

47. (previously presented) The drill guide assembly of claim 46, wherein the difference between the first and second distances is from about 0 millimeters (mm) to about 0.8 mm.

48. (previously presented) The drill guide assembly of claim 46, wherein the second distance is about 0.5 mm longer than the first distance.

49.-57. (cancelled)

58. (previously presented) A drill guide comprising:

a guide barrel for receiving a bone tool for creating a hole in bone; and

an alignment assembly associated with the guide barrel for aligning the bone tool with a selected first or second fastener hole of a bone plate, the alignment assembly comprising a location post having a longitudinal axis and configured to be at least partially received within a recess in the bone plate;

wherein the location post is pivotable about the longitudinal axis and in the bone plate recess to allow the guide barrel to be selectively aligned with the first and second fastener holes;

the alignment assembly further comprising a housing having a first axial bore configured to slidably receive at least a portion of the location post; and

wherein the location post and housing further each comprising a distal end, the location post having a retracted position in which the location post distal end is located a first distance from the distal end of the housing, and an extended position in which the location post distal end is located a second distance from the distal end of the housing, wherein the second length is greater than the first length; and

wherein the alignment assembly further comprising a spring element disposed at least partially within a second axial bore in the housing to bias the location post to the extended position.

59. (previously presented) The drill guide of claim 58, the guide barrel further comprising a bore with a bore axis, and a distal plate-engaging end, wherein the distal plate-engaging end comprises a nose portion configured to be received within the first or second fastener hole to align the bore with the bone screw hole.

60. (previously presented) The drill guide of claim 59, wherein the nose portion comprises a conical shape.

61. (previously presented) The drill guide of claim 59, the housing first axial bore and the guide barrel bore forming an acute angle therebetween.

62. (previously presented) The drill guide of claim 58, wherein when the location post is received within the bone plate recess and the location post is in the extended position, the guide barrel distal end is located a first distance from the top surface of the bone plate.

63. (previously presented) The drill guide of claim 58, wherein when the location post is received within the bone plate recess and the location post is in the retracted position, the guide barrel distal end contacts the selected bone screw hole.